

NOT FOR PUBLICATION

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Reinaldo Claudio,

Petitioner,

v.

United States of America,

Respondent.

No. CV-21-02020-PHX-SRB(MHB)

ORDER

Petitioner filed his Amended Petition Under 28 U.S.C. § 2241 for Writ of Habeas Corpus by a Person in Federal Custody on December 20, 2021 raising one claim for relief, “that the Federal Bureau of Prisons (“BOP”) improperly denied credit for the time he spent in federal custody on a Writ of Habeas Corpus ad Prosequendum while awaiting trial in the United States District Court, Western District of Michigan, Southern Division.” (Doc.15, Report and Recommendation (“R&R”) at 1.) Respondent filed its Response to Petitioner’s Petition for Writ of Habeas Corpus on February 28, 2022. No reply was filed. On April 26, 2022, the Magistrate Judge issued her Report and Recommendation recommending that the petition be denied and dismissed with prejudice.

In her Report and Recommendation the Magistrate Judge advised the parties that they had fourteen days from the date of service of a copy of the Report and Recommendation within which to file specific written objections with the Court. On May 9, 2022 Petitioner filed a Request for Extension. On May 10, 2022 the Court granted Petitioner’s Request for Extension and extended the time within which he had to file his objections to the Report and Recommendation by 30 days from the date of the Order. The time to file such objections

1 has expired and no objections to the Report and Recommendation have been filed.

2 The Court finds itself in agreement with the Report and Recommendation of the
3 Magistrate Judge.


4 **IT IS ORDERED** adopting the Report and Recommendation of the Magistrate
5 Judge as the order of this Court. (Doc. 15)

6 **IT IS FURTHER ORDERED** denying the Amended Petition for Writ of Habeas
7 Corpus and dismissing it with prejudice. (Doc. 4)

8 **IT IS FURTHER ORDERED** denying any Certificate of Appealability and leave
9 to proceed in forma pauperis on appeal because Petitioner has not made a substantial
10 showing of the denial of a constitutional right.

11 **IT IS FURTHER ORDERED** directing the Clerk to enter judgment accordingly.
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13 Dated this 16th day of June, 2022.
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18 Susan R. Bolton
United States District Judge
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